

PERFORMANCE AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2005, between **Advanced Builders & Remodelers, Inc.** and **C. & C. Developers, Inc.** hereinafter collectively called the "Developer", and **LEON COUNTY**, a political subdivision of the State of Florida, hereinafter called "The County".

WHEREAS, the Developer will present to the Board of County Commissioners of Leon County, Florida, a certain map or plat of a subdivision named and designated Apalachee Hills which map or plat is hereby referred to and made a part hereof by reference, and,

WHEREAS, as a condition to the acceptance and recording of said map or plat, the County has required that the Developer enter into an agreement to construct and pave the roads and streets, install all drainage facilities, sidewalks and other infrastructure and survey monumentation in said subdivision in accordance with plans and specifications approved by the County within a period of one (1) year date hereof and to post bonds in the amounts of \$476,323.85 and \$200,00.00 conditioned for the faithful performance of said agreement, said bond to have as surety thereon some surety company authorized to do business under the laws of the State of Florida.

NOW THEREFORE, THIS INDENTURE WITNESSETH: That the Developer hereby agrees to construct and pave the roads and streets, install all drainage facilities, sidewalks and other infrastructure and survey monumentation in Apalachee Hills in accordance with plans and specifications approved by the County, within a period of one (1) year from date hereof

PERFORMANCE OF THIS AGREEMENT by the Developer shall be secured by two Irrevocable Letters of Credit in the amounts of \$476,323.85 and \$200,000.00 with surety thereon approved by the County.

IN WITNESS WHEREOF, Advanced Builders & Remodelers, Inc. and C. & C. Developers, Inc. have hereunto caused its names to be signed and its corporate seals affixed by its appropriate officers and Leon County Commissioners and its seal affixed by the Clerk of said Board, the day and year first above written.

DEVELOPER

Advanced Builders &
Remodelers, Inc.

By: [Signature] (Seal)
Jim Bennett, President

C. & C. Developers, Inc.

By: [Signature] (Seal)
Robert C. Camp, President

ATTEST:

[Signature] (Seal)
Its Secretary

ATTEST:

[Signature] (Seal)
Its Secretary

LEON COUNTY, FLORIDA

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

ATTEST:

Bob Inzer, Clerk of the Circuit Court
Leon County, Florida

BY: _____

APPROVED AS TO FORM:
Leon County Attorney's Office

BY: _____
Herbert W.A. Thiele, Esq.